

# HOUSE BILL No. 1317

## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 25-1-9-6.4; IC 25-10-1-14.

**Synopsis:** Spinal manipulation. Provides that a health practitioner may not perform spinal manipulation or spinal adjustment unless the practitioner has statutory authority to differentially diagnose and meets certain educational requirements. Excludes physicians and osteopaths from the requirements. Provides for disciplinary sanctions for violations.

**Effective:** July 1, 2008.

**Mays**

January 15, 2008, read first time and referred to Committee on Public Health.

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Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

## HOUSE BILL No. 1317

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 25-1-9-6.4 IS ADDED TO THE INDIANA CODE  
2       AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3       1, 2008]: **Sec. 6.4. (a) This section does not apply to a practitioner**  
4       **licensed to practice medicine or osteopathic medicine under**  
5       **IC 25-22.5.**

6       **(b) As used in this section, "spinal manipulation" or "spinal**  
7       **adjustment" means a method of skillful and beneficial treatment**  
8       **where a practitioner uses direct thrust to move a joint of the**  
9       **patient's spine beyond its normal range of motion, but without**  
10       **exceeding the limits of anatomical integrity.**

11       **(c) A practitioner may not perform spinal manipulation or**  
12       **spinal adjustment unless the practitioner has:**

- 13               **(1) statutory authority to differentially diagnose; and**  
14               **(2) received at least four hundred (400) hours of classroom**  
15               **instruction in spinal manipulation or spinal adjustment and**  
16               **at least eight hundred (800) hours of supervised clinical**  
17               **training at a facility where spinal manipulation or spinal**



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adjustment is a primary method of treatment.

(d) In addition to the actions listed under section 4 of this chapter that subject a practitioner to disciplinary sanctions, a practitioner is subject to the exercise of disciplinary sanctions under section 9 of this chapter if, after a hearing, the board finds that the practitioner has violated this section.

SECTION 2. IC 25-10-1-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 14. (a) This section applies to all persons, including persons listed in IC 25-22.5-1-2.

(b) A person may manually manipulate, manually adjust, or manually mobilize the spinal column or the vertebral column of an individual only if the person is:

- (1) a chiropractor who has been issued a license under this chapter;
- (2) a physician who has been issued an unlimited license to practice medicine under IC 25-22.5; or
- (3) an osteopathic physician who has been issued a license to practice osteopathic medicine under IC 25-22.5.

(c) A person may not delegate the manual manipulation, manual adjustment, or manual mobilization of the spinal column or the vertebral column of an individual to another person, unless the other person is:

- (1) licensed as a chiropractor under this chapter;
- (2) licensed as a physician with an unlimited license to practice medicine under IC 25-22.5;
- (3) licensed as an osteopathic physician with a license to practice osteopathic medicine under IC 25-22.5;
- (4) a student in the final year of course work at an accredited chiropractic school participating in a preceptorship program and working under the direct supervision of a chiropractor licensed under this chapter; or
- (5) a graduate of a chiropractic school who holds a valid temporary permit issued under section 5.5 of this chapter.

(d) If a violation of subsection (b) or (c) is being committed:

- (1) the board in its own name;
- (2) the board in the name of the state; or
- (3) the prosecuting attorney of the county in which the violation occurs, at the request of the board and in the name of the state;

may apply for an order enjoining the violation from the circuit court of the county in which the violation occurs.

(e) Upon a showing that a person has violated subsection (b) or (c), the court may grant without bond an injunction, a restraining order, or

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1 other appropriate order.

2 (f) **Subject to IC 25-1-9-6.4**, this section does not apply to a  
3 physical therapist practicing under IC 25-27. However, a physical  
4 therapist may not practice chiropractic (as defined in IC 25-10-1-1) or  
5 medicine (as defined in IC 25-22.5-1-1.1) unless licensed to do so.

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